

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 1:13CR490
)	
Plaintiff,)	JUDGE SARA LIOI
)	
v.)	
)	
INNA MELNYK,)	<u>RESPONSE IN SUPPORT OF MOTION</u>
)	<u>TO DECLARE THIS MATTER A</u>
Defendant.)	<u>COMPLEX CASE AND FOR</u>
)	<u>CONTINUANCE</u>

Now comes the United States of America, through Justin E. Herdman, United States Attorney, and Matthew B. Kall, Assistant U.S. Attorney, and files this response in support of Defendant Inna Melnyk's Motion to Declare This Matter to be a Complex Case and for Continuance of Trial. (R. 12, PageID 42-43).

Defense counsel accurately summarized the reasons this Court should declare this case complex and continue the trial. Discovery in this case contains numerous hours of foreign language recordings. In addition, there are substantial documentary foreign language materials that were obtained from Ukrainian law enforcement officials pursuant to a Mutual Legal Assistance Treaty request. The government has obtained its own translations of these recordings and documents, which will be provided to defense counsel, but it is reasonable to provide defense counsel sufficient time to review these with his client and an interpreter.

In addition, in the event that this matter does go to trial, the government will need to call at least three current and/or former Ukrainian law enforcement officials as witnesses. Obtaining their testimony will require the government to submit a Mutual Legal Assistance Treaty request

to Ukraine for assistance. Failure to grant a continuance would deny the government the reasonable time necessary to effectively prepare for trial and secure the attendance of foreign witnesses.

For these reasons, the government joins in Defendant Melnyk's motion. The government believes this Court should continue the trial date and find that the ends of justice served by a continuance outweigh the interests of the public and defendant in a speedy trial under 18 U.S.C. § 3161(h)(1).

Respectfully submitted,

JUSTIN E. HERDMAN
United States Attorney

By: /s/ Matthew B. Kall
Matthew B. Kall (NY: 3003738)
Assistant United States Attorney
United States Court House
801 West Superior Avenue, Suite 400
Cleveland, OH 44113
(216) 622-3915
(216) 522-8355 (facsimile)
Matthew.B.Kall@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of November 2018 a copy of the foregoing document was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's system.

/s/ Matthew B. Kall

Matthew B. Kall

Assistant U.S. Attorney